

APPEAL NO. 030543
FILED APRIL 18, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 12, 2003. The hearing officer determined that the decision of the Independent Review Organization is not supported by a preponderance of the evidence. Appellant (carrier) appealed this determination on sufficiency grounds. The file does not contain a response from respondent (claimant).

DECISION

We reverse and remand for reconstruction of the record.

The file forwarded to us for review does not contain the Claimant's Exhibit No. 3, a letter from Dr. U. Because the record is incomplete, it must be remanded for the addition or reconstruction of the missing exhibit.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings, pursuant to Section 410.202 which was amended June 17, 2001, to exclude Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods. See Texas Workers' Compensation Commission Appeal No. 92642, decided January 20, 1993.

According to information provided by carrier, the true corporate name of the insurance carrier is **ACE INSURANCE COMPANY OF TEXAS** and the name and address of its registered agent for service of process is

**JAVIER GONZALES
3421 WEST WILLIAMM CANNON DRIVE
SUITE 131, PMB 113
AUSTIN, TEXAS 78745.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Edward Vilano
Appeals Judge

Roy L. Warren
Appeals Judge